

**25818. Misbranding of Ora-Noid.** U. S. v. Henry Lutzenkirchen, trading as the Ora-Noid Co. Plea of nolo contendere. Fine, \$50 and costs. (F. & D. no. 33992. Sample nos. 64286-A, 64682-A, 64913-A, 67864-A.)

False and fraudulent curative and therapeutic claims were made for this article.

On July 12, 1935, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Henry Lutzenkirchen, trading as the Ora-Noid Co., Chicago, Ill., alleging shipment in violation of the food and Drugs Act as amended, in the period from March 22, 1934, to June 13, 1934, to Milwaukee, Wis., and to New York, N. Y., of quantities of Ora-Noid which was misbranded. The article was labeled in part: (Can) "Ora-Noid Ora-Noid Co. Chicago \* \* \* Do not fail to read the accompanying circular."

Analysis showed that the article consisted essentially of common salt, chalk, bicarbonate of soda and potash, phosphate of lime, soda and magnesium, sulphates of magnesium and potash flavored with cinnamon.

Misbranding of the article was charged in that there appeared on the cartons and labels of the cans statements regarding the therapeutic and curative effects of the article; that the said statements were false and fraudulent representations that the article was effective, among other things, as an oral prophylactic; effective to strengthen the gums and to keep them in condition; effective to strengthen all the tissues in the mouth including the tongue, the palate, the throat, and the mucous membranes on the inside of the cheeks; effective to keep the teeth, gums, tongue, mouth, and throat healthy; effective to expel germs, to draw the germs out of the crypts in the tissues, to flush out and expel bacteria hidden away in the crypts of the mouth and tongue, and to aid in the treatment of irritations of the membranes of the gums, mouth and throat including bad breath, and wherever the tissues of the mouth and its accessory organs are involved; and effective to exert a high osmotic pressure to draw the fluids out of inflamed tissues and to relieve congestion and help to restore the tissue to a normal healthy condition.

On May 27, 1936, a plea of nolo contendere having been entered, a fine of \$50 and costs was imposed.

W. R. GREGG, *Acting Secretary of Agriculture.*

**25819. Misbranding of Dr. P. C. Sanderson's Indian Herbs of Joy and Blood Cleanser, and Sengarian Ointment, formerly called "Hungarian Ointment."** U. S. v. Aschenbach & Miller, Inc., a corporation, and John F. Belsterling, its president. Plea of nolo contendere. Joint fine, \$50. (F. & D. no. 34005. Sample nos. 10463-B, 10464-B.)

False and fraudulent curative and therapeutic claims were made for these articles. The label of one erroneously represented that it was an Indian product. The label of the other erroneously represented that it was of antiseptic efficacy and that particular use of it could be made with perfect safety.

On June 12, 1935, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Aschenbach & Miller, Inc., a corporation, Philadelphia, Pa., and John F. Belsterling, its president, alleging shipment by them in violation of the Food and Drugs Act as amended, from Philadelphia, Pa., to Wilmington, Del., of quantities of Dr. P. C. Sanderson's Indian Herbs of Joy and Blood Cleanser on or about March 28, 1934, and quantities of Sengarian Ointment, formerly called "Hungarian Ointment", on or about June 9, 1934, which articles were misbranded. The articles were labeled in part: (Box) "Dr. P. C. Sanderson's Indian Herbs of Joy and Blood Cleanser"; (box) "Sengarian Ointment Hungarian Med. Co. 400 N. 3rd St., Phila., Pa."; (carton) "Sengarian Ointment, Formerly Hungarian \* \* \* For Drawing, Healing, Strengthening. Etc. \* \* \* Aschenbach & Miller, Inc. 400 N. Third Street, Philadelphia, Pa."

Analysis showed that the Herbs of Joy consisted of ground crude drugs including aloe, cinnamon, and ginger; that the ointment was a dark-brown, sticky salve consisting of lead soap, rosin, and camphor. An examination of the ointment resulted in the finding that it was not antiseptic when used as directed.

Misbranding of the Herbs of Joy was charged in that the labels on the boxes bore, and a circular enclosed in the package contained, statements regarding the curative and therapeutic effects of the article; that the said statements were false and fraudulent representations that the article was effective, among other things, as a blood cleanser and health promoter; effective as a treatment, remedy, and cure for liver complaints, dyspepsia, rheumatism, malarial fevers, and